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FM AMEMBASSY JAKARTA  
TO SECSTATE WASHDC IMMEDIATE 1407

C O N F I D E N T I A L JAKARTA 000207

TO DEPUTY SECRETARY STEINBERG FROM AMBASSADOR HUME

E.O. 12958: DECL: 02/06/2018

TAGS: [PHUM ID](#)

SUBJECT: PUTTING INDONESIA'S HUMAN RIGHTS SITUATION IN  
CONTEXT

Classified By: Ambassador Cameron R. Hume, reasons 1.4(b+d).

¶1. (C) The Human Rights report drafted under current guidelines is misleading and would harm U.S. interests. It is time to fix this problem for the 2008 Indonesia Country Report on Human Rights Practices. The human rights situation in Indonesia has improved dramatically in the last ten years, a trend that the report should reflect. The report needs to include language in the introduction that provides context and a balanced overall perspective. Without context, the report is incomplete and misleading, and its publication would have negative consequences.

¶2. (C) As a point of comparison, several NGOs cite improvements of basic freedoms over the past 10 years in their reports regarding Indonesia. For example, Human Rights Watch writes, "Basic freedoms in the country expanded dramatically following the resignation of President Suharto in 1998, transforming Indonesia from an authoritarian state to a vibrant if chaotic democracy." The 2008 Freedom House report cites Indonesia as the only country in Southeast Asia, and only one of two Muslim majority countries, to earn a "free" rating. The narrative in the Freedom House report describes, within context, Indonesia's transformation into a democracy from authoritarian rule. These statements provide needed context to these NGO assessments. Ours should have the same.

¶3. (C) The report as drafted hurts U.S. interests in the area of political asylum cases. DHS's "Annual Flow Report: Refugees and Asylees 2007", however, cites an increasing trend of Indonesians gaining asylum. As we understand the process, DHS officials and immigration judges draw upon the Human Rights Report when making asylum decisions. According to DHS statistics, 777 Indonesians were granted asylum in 2007 after stating other reasons for entering the U.S. This number represents a 65 percent increase from 2005. However, according to human rights NGOs and this embassy, few if any Indonesians meet the standard of individuals fearing persecution in their home country on account of race, religion nationality, membership in a particular social group, or political opinion. By providing the proper context, judges would have the necessary information to make accurate adjudications of asylum cases and stop intending immigrants from circumventing immigration law.

¶4. (C) The political asylum issue is sensitive here. In 2006, the Indonesian government recalled its ambassador to Australia for three months after the Australian government granted asylum to 42 Indonesians in Papua. The Indonesian government said the asylum decision was counter-productive and against the spirit of bilateral cooperation. The issue disrupted relations for over a year.

¶5. (C) The Mission is submitting to DRL proposed revised language for the introduction which would be a more accurate assessment of the human rights situation today in Indonesia.

Begin text:

Indonesia is a multiparty democracy with a population of approximately 245 million. Susilo Bambang Yudhoyono became the first directly elected president in free and fair elections in 2004. Civilian authorities generally maintained

effective control of the security forces, although the fact that the Indonesian Armed Forces (TNI) continued to be partly self-financed weakened this control.

The government generally respected the human rights of its citizens and upheld civil liberties. Nonetheless, there were incidents during the year in the following areas: killing by security forces; vigilantism; harsh prison conditions; impunity for prison authorities and some other officials; corruption in the judicial system; limitations of free speech; societal abuse and discrimination against religious groups and interference with freedom of religion, sometimes with the complicity of local officials; instances of violence and sexual abuse against women and children; trafficking in persons; child labor; and failure to enforce labor standards and worker rights.

Basic freedoms have expanded in Indonesia since 1999, and during the year the government took significant measures to advance human rights and consolidate democracy including: the public trial and sentencing of 13 marines in connection with the May 2007 Alastlogo clash; some prosecutions of high-level officials for corruption; President Yudhoyono's acknowledgment and acceptance of the conclusion and recommendation of the Indonesia/Timor-Leste Commission on Truth and Friendship that Indonesian security forces bore institutional responsibility for 1999 human rights abuses and should undergo enhanced human rights training; and the Supreme Court reinstated the 20-year sentence against Pollycarpus Priyanto for the 2004 killing of human rights activist Munir Said Thalib.

End text.

HUME